Group II: Claims 8-11, 46, and 68-73, drawn to anti-TPBD antibodies, cell lines producing the antibodies, and TPBD-modulating agents;

Group III: Claims 12-24 and 27, drawn to nucleic acids encoding TPBD polypeptides, vectors, recombinant cells, oligonucleotides, kits comprising oligonucleotides, antisense nucleic acids, compositions comprising antisense nucleic acids, methods of expression of TPBD and primers;

Group IV: Claim 25, drawn to a method for identifying nucleic acids encoding a mammalian TPBD comprising polynucleotide hybridization;

Group V: Claims 26, 48, 49, 66 and 67, drawn to methods for detecting human TPBD by contacting a sample with an anti-TPBD antibody, methods of diagnosing a pathology using an agent which can bind TPBD, and a method of diagnosing cancer or assessing the prognosis of cancer patients by contacting a test sample with an anti-TPBD antibody;

Group VI Claims 28-35, 42, 43, 50 and 62, drawn to methods for modulating a TNF family receptor, a TRAF protein, a TRAF-associated protein, a NF-κb or cJun terminal kinase, a cell process, or an activity mediated by a TPBD, by contacting a cell with an agent that modulates association between TPBD and TRAF;

Group VII: Claim 44, drawn to a method for modulating apoptosis by introducing a nucleic acid encoding a TPBD into a cell;

Group VIII: Claim 45, drawn to a method of modulating class switching in a B-cell by introducing a TPBD antisense polynucleotide into a cell;

Group IX: Claims 36, 47 and 65, drawn to a method for modulating the activity of an oncogenic protein by contacting the oncogenic protein with a TPBD polypeptide or fragments thereof;

Group X: Claims 37-41, 61, 63 and 64, drawn to methods for identifying an agent that modulates the association of TPBD with a TRAF protein; and

Group XI: Claims 47 and 65, drawn to methods for treating abnormal cell proliferation or abnormal immunoglobulin class-switching with an agent that modulates TPBD.

The Examiner requests that one of the groups of claims be elected for examination. Although the restriction requirement is traversed for the reasons set forth below, Applicants elect the claims of Group II, claims 8-11, 46, and 68-73, for examination.

The Restriction Requirement is traversed with respect to the division of the claims of Group II from the claims of Group V. While the claims of Groups II and V are patentably distinct, it is submitted that a thorough search of the claims of either group will likely reveal art relevant to the examination of the claims of the other group. This is further indicated by the Examiner's designation of the relationship between the claims of Group II and the claims of Group V as product and process of use. The claims of Group II are directed to anti-TPBD antibodies and TPBD-modulating agents. The claims of Group V are directed to detection methods using these antibodies and modulating agents. Although the claims of Groups II and V are not classified in the same class and subclass, nevertheless, a search

of the claims of Group V will necessarily reveal information relevant to the examination of the claims of Group II and, therefore, division of the claims into these groups would result in duplicative searches. Similarly, a search of the claims of Group II will likely reveal art relevant to the examination of the claims of Group V. Therefore, examination of the claims of Group V with the claims of Group II should not be an undue burden on the Examiner.

CONCLUSION

In light of the foregoing remarks, Applicants respectfully request that the Restriction Requirement be reconsidered and that the claims of Group V be examined with the claims of Groups II. The Examiner is invited to call Cathryn Campbell or the undersigned agent if there are any questions.

Respectfully submitted,

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